United Nations A/C.1/60/PV.22

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Official Records

First Committee
22nd meeting
Monday, 31 October 2005, 9.30 a.m.
New York

Chairman: Mr. Choi Young-jin ..... (Republic of Korea)

The meeting was called to order at 9.40 a.m.

Agenda items 85 to 105 (*continued*)

Action on all draft resolutions under all disarmament and international security agenda items

The Chairman: The Committee will first take action on the remaining two draft resolutions — A/C.1/60/L.18 and A/C.1/60/L.41 — contained in informal paper number 4, on which we were unable to take action last Friday due to time constraints. The Committee will then take action on the four draft resolutions contained in informal paper number 5.

I give the floor to the Secretary of the Committee to make a brief announcement.

Ms. Stoute (Secretary of the Committee): As in previous years, and as part of the ongoing efforts to improve conference services, the Department for General Assembly and Conference Management is again initiating a client survey exercise. This exercise will be covering all General Assembly committees, the Advisory Committee on Administrative and Budgetary Questions, and the Security Council. As a result, the Conference Officers will be circulating a questionnaire to all delegations. I would therefore ask all Committee members most kindly to actively participate in this survey. The Conference Officers will collect the questionnaire at the end of today's meetings. If delegations would fill them out during the course of the morning, I would be most grateful.

The Chairman: We will begin with the two draft resolutions contained in cluster 7, "Disarmament machinery" — A/C.1/60/L.18 and A/C.1/60/L.41.

If no delegation wishes to make a general statement or to speak in explanation of vote, the Committee will proceed to take action on draft resolution A/C.1/60/L.18.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): Draft resolution A/C.1/60/L.18 is entitled "United Nations regional centres for peace and disarmament". The draft resolution was introduced by the representative of Indonesia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, at the Committee's 14th meeting, on 18 October 2005. The sponsors of the draft resolution are listed in documents A/C.1/60/L.18 and A/C.1/60/INF/2*.

There is an oral statement to that draft resolution which, with the permission of the Chairman, I shall now read out.

In connection with draft resolution A/C.1/60/L.18, entitled "United Nations regional centres for peace and disarmament", I wish to put on record the following statement of financial implications on behalf of the Secretary-General.

Under the terms of operative paragraph 5 of draft resolution L.18, the General Assembly would request the Secretary-General to provide all the necessary

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support, within existing resources, to regional centres in carrying out their programmes of activities. Implementation of that request would be carried out within the resources provided under section IV, "Disarmament", of the proposed programme budget for the biennium 2006-2007.

The provision contained therein covers the three P-5 posts of Directors of the three regional centres for peace and disarmament. The programmes of activities of the three centres would continue to be financed from extra-budgetary resources. The attention of the Committee is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions. Accordingly, should the General Assembly adopt draft resolution A/C.1/60/L.18, no additional requirements would arise under the proposed programme budget for the biennium 2006-2007.

The Chairman: The sponsors of the draft resolution have expressed the wish that the Committee adopt the draft resolution without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/60/L.18 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/60/L.41, as orally revised by the representative of Nigeria.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): Draft resolution A/C.1/60/L.41 is entitled "United Nations Regional Centre for Peace and Disarmament in Africa".

The draft resolution, as already amended, was introduced by the representative of Nigeria at the Committee's 19th meeting, on 25 October 2005. The sponsors of the draft resolution are listed in document L.41. There is an oral statement to the draft resolution which, with the Chairman's permission, I shall now read.

In connection with draft resolution A/C.1/60/L.41, entitled "United Nations Regional Centre for Peace and Disarmament in Africa", I wish to put on record the following statement of financial implications on behalf of the Secretary-General.

Under the terms of operative paragraphs 1, 3 and 4 of draft resolution L.41, the General Assembly would, respectively, request the Secretary-General to establish, within existing resources, a consultative mechanism of interested States, in particular African States, for the reorganization of the Regional Centre and report to the General Assembly at its sixty-first session; request the Secretary-General to continue to provide the necessary support to the Regional Centre for better achievements and results; and also request the Secretary-General to facilitate close cooperation between the Regional Centre and the African Union, in particular in the areas of peace, security and development, and to continue to provide assistance towards stabilizing the financial situation of the Centre.

The implementation of the Centre, as contained in operative paragraph 1, would be carried out within the resources provided under section IV, "Disarmament", of the proposed programme budget for the biennium 2006-2007. The consultative mechanism consists of informal meetings held as needed and aimed at discussing matters related to the revitalization of the Regional Centre. The meetings and their outcome would be reflected as part of the report that the Secretary-General is requested to submit to the General Assembly at its sixty-first session on the implementation of the draft resolution.

With regard to operative paragraph 3, the provision under section IV of the proposed programme budget for the biennium 2006-2007 covers, among other things, one P-5 post of Director of the Regional Centre at Lomé. The programme of activities of the Regional Centre would continue to be financed from extra-budgetary resources. The facilitation of cooperation between the Centre and the African Union and the provision of assistance towards stabilizing the financial situation of the Centre, as requested in operative paragraph 4, would also be carried out within the resources provided under section IV of the proposed programme budget for the biennium 2006-2007.

The attention of the Committee is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

Therefore, should the General Assembly adopt draft resolution A/C.1/60/L.41, no additional requirements would arise under the proposed programme budget for the biennium 2006-2007.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. As I hear no objection, I take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/60/L.41, as orally revised, was adopted.

The Chairman: The floor is open to delegations wishing to explain their positions after the decision.

As there are no requests for the floor, the Committee will move on to informal paper No. 5, cluster 1, "Nuclear weapons", which contains one draft resolution, A/C.1/60/L.38/Rev.2. The floor is open to delegations wishing to make general statements.

Mr. Baeidi-Nejad (Islamic Republic of Iran): With respect to draft resolution A/C.1/60/L.38/Rev.2, based on the request made by some delegations to add elements to the draft resolution so that they could support it, and based on the consultations held on the weekend, my delegation would like to offer an addition to the sixth preambular paragraph of L.38/Rev.2. The proposal has just been circulated in the Committee.

With that addition, the sixth preambular paragraph would read as follows:

> "Reaffirming the resolution on the Middle East adopted on 11 May 1995 by the 1995 Review and Extension Conference of the Parties to the Treaty, in which the Conference reaffirmed the importance of the early realization of universal adherence to the Treaty and the placement of nuclear facilities under full-scope International Atomic Energy Agency safeguards".

We ask that delegations consider that new oral revision to draft resolution L.38/Rev.2.

Mr. Freeman (United Kingdom): Our Iranian colleague has just referred to a proposed new phrasing of the sixth preambular paragraph of their draft resolution. That, of course, is their business, and I respect that.

I just was not quite clear. He referred to conversations, or whatever, over the weekend, to which, as it happens, I was not party, so this is fresh language to my eyes. I wondered whether there would be time given for us to materially consider the proposal, because it is obviously a significant change, and I am not quite sure how much time we will have to consider it. I ask the Chair for his position on that.

The Chairman: I am not quite sure. We all know that tomorrow is the last day of this session of the First Committee. Is the representative of the United Kingdom suggesting that we defer taking action on this draft resolution until tomorrow?

Mr. Freeman (United Kingdom): I am not making a specific suggestion. I think Iran's suggested amendment obviously requires serious consideration. I think one owes Iran the courtesy of that. Equally, if one is to give it serious consideration, one needs a little time to think about it. I suppose one option would, indeed, be to wait until tomorrow to consider the whole thing. But I welcome your view on that, Sir.

The Chairman: As the Chairman of the First Committee, I have one philosophy: to serve the Committee's members. It will be up to Member States to take a decision on whether, collectively, we prefer to defer action on this draft resolution until tomorrow or try to force our action today, this morning. Any reactions from the floor?

Mr. Baeidi-Nejad (Islamic Republic of Iran): I thank the Ambassador of the United Kingdom for his suggestion — his comment, in fact.

Of course, as you mentioned, Sir, it is the custom of the Committee that we can orally amend draft resolutions and decide accordingly. But certainly we want to facilitate the decision by Member States and be respectful of their inclination to have further consultations.

One middle way could be to hold consultations while we take action on other draft resolutions. If by the end of this meeting we reach the conclusion that it would be better to postpone action on the draft resolution until tomorrow, we would certainly do it. But if we feel that positions would not change by tomorrow, we can take a decision today. So, with all respect, we can hold consultations until the end of this meeting and then take a decision.

Mr. Freeman (United Kingdom): I know, of course, our Iranian colleague very well. We deal with each other on a number of issues, and I have considerable respect and liking for him and recognize that he is being courteous, as he usually is.

I would be happy either with a suspension of the Committee's work for, say, 45 minutes, between votes, or for the draft resolution to be considered tomorrow. But I am afraid that I do not really think that, while voting continues, I would be able to have the kind of consultations I think I would need, because I would want to be here for the votes. So, if it is acceptable to Iran, I would happily go along with the idea of a suspension of the Committee's proceedings for, say, 45 minutes or an hour — whenever you, Sir, choose — or, if that is not possible for whatever reason, a delay.

The Chairman: Let us proceed this way: we will revisit this draft resolution at the end of today's session, and we will decide at that moment whether to take action on it or defer action until tomorrow.

Mr. Freeman (United Kingdom): I do not think I could even materially contribute to the discussion that you, Sir, have just suggested unless there has been an opportunity for a break in our proceedings. I do not know whether that was implicit in what you were saying, that you were thinking of an hour's break. If it is, then that is fine by me.

The Chairman: My suggestion is that we will all have some time to think it over while we deliberate on the other draft resolutions.

We will proceed with the next item. When we have addressed all the items today, we will revisit A/C.1/60/L.38/Rev.2 of cluster 1. Then, we will take a decision at that time.

So, the Committee will move on to draft resolution A/C.1/60/L.40/Rev.1, under cluster 4, "Conventional weapons". The floor is open for general statements and the introduction of the draft resolution.

Mr. Rivasseau (France) (*spoke in French*): I beg your pardon, Mr. Chairman, but I asked for the floor before you moved on to the second item. I wish to introduce a number of small oral revisions that are essentially intended to improve the clarity of our text. With your permission, I shall read those out now.

The Chairman: You may proceed.

Mr. Rivasseau (France) (*spoke in French*): We have on our agenda today taking a decision on draft resolution A/C.1/60/L.40/Rev.1, entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus", which was presented by Germany and France. We have continued our consultations in the course of the last few days in order to ensure consensus on this draft resolution, for, as the Chairman is aware, we wish to have consensus on it. Some delegations expressed the wish not to change the substance of the text but to clarify a number of details that to them still seem somewhat unclear. We felt that all the suggestions made were useful, and so we propose that they be incorporated into the draft resolution.

Given the time required for translation and editing, I believe it will not be possible to publish a second revision without prolonging our work, perhaps until Wednesday. We hesitate to delay delegations until Wednesday, so we would like to make the following changes to Rev.1. With the approval of the Chairman, for which we are grateful, we distributed those changes to all delegations at the beginning of this meeting.

With regard to the preambular part of the draft resolution, we propose to delete the fifth paragraph entirely, as we have been told that it is not essential to the text.

We also propose merging operative paragraphs 1 and 2 so that it will be clearly understood that we are referring to the same thing in both paragraphs. That was indeed our intention, and it therefore seems a completely appropriate structural change to make.

Lastly, we propose a change to the former operative paragraph 5, now — with the merging of paragraphs 1 and 2 — operative paragraph 4. In that paragraph, the phrase "combat illicit trafficking in conventional ammunition", at the end, should be replaced with "to address accordingly the illicit trafficking related to the accumulation of such stockpiles".

Those are the amendments we propose. We believe that those changes will not only guarantee consensus, they will also ensure that delegations are comfortable with the text, as they cover the scope of the text, which is a modest one. The important thing for us to reach consensus on it.

The Chairman: As there are no other requests to make general statements on cluster 4, the floor is now open for explanations of vote before the voting.

Mrs. Martinic (Argentina) (*spoke in Spanish*): The goal of draft resolution A/C.1/60/L.40/Rev.1, as orally revised a few moments ago by the representative of France, is to address the issue of ammunition stockpiles in surplus and to take measures to prevent their illicit trafficking. The delegation of Argentina welcomes the introduction of that draft resolution, mindful of the need to act effectively to combat the proliferation of and trafficking in ammunition for conventional weapons, including small arms and light weapons. That is a priority matter for our country.

Argentina believes that firearms and their ammunition are not separate problems. We must adopt effective national measures to control them, both as regards their circulation and their transfer. Our position was made clear in the negotiations on the instrument on marking and tracing small arms and light weapons that emerged from the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

However, just as in 2001, the final document did not succeed in dealing with the issue in a comprehensive manner that included the subject of ammunition. Thus, in accordance with operative paragraph 6 of the draft resolution, the Chairman of the Open-ended Working Group recommended that the issue of ammunition be dealt with in a separate process within the United Nations. Argentina would nevertheless prefer that, when we review the marking and tracing instrument two years after its adoption, the matter of ammunition finally be included in the instrument without the need to initiate a new, separate negotiating process.

Although the draft resolution calls for the implementation of the proposal contained in paragraph 27 of the report submitted by the Chairman of the Working Group (*A/60/88*), it does not rule out establishing a process to address the issue of ammunition in a comprehensive manner that takes into account not just issues pertaining to marking and tracing but also matters having to do with transfers, brokering, the security of stockpiles and the destruction of surpluses. Pertinent in that regard is the report of the Group of Governmental Experts that assessed the feasibility of developing an instrument to address marking and tracing (*A/58/138*). Particularly relevant is paragraph 33 of the report, which acknowledges the linkage between arms and ammunition. Similarly pertinent with regard to the destruction of surplus ammunition is the report of the Secretary-General in which better methods for the destruction of arms, ammunition and explosives are proposed (*S/2000/1092*).

Argentina therefore believes that this initial draft resolution on the matter, which was introduced by the representative of France, will help us to keep the issue of ammunition on our agenda and may contribute to making Member States aware of its importance. The delegation of Argentina will therefore support the draft resolution, in order to underscore the need to comprehensively address the problems associated with small arms and light weapons by also addressing the issue of ammunition.

The Chairman: I call on the representative of the United States.

Ms. Sanders (United States of America): I would like to request that we postpone the vote on this draft resolution to later during today's meeting.

The Chairman: We shall delay action on this draft resolution to the end of the meeting, after we deal with draft resolution A/C.1/60/L.38/Rev.2.

We shall now proceed to cluster 6, "Other disarmament measures and international security", which contains draft resolution A/C.1/60/L.1/Rev.1*.

As there are no requests for the floor to make general statements, the floor is now open for explanations of position before the vote.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): The Russian Federation will abstain in the voting on draft resolution A/C.1/60/L.1/Rev.1*, entitled "Compliance with non-proliferation, arms limitation and disarmament agreements".

We are disappointed that the sponsors of the draft resolution did not take into account some of our

amendments and comments. As a result, the Russian Federation believes that, in contrast to a similar resolution adopted by consensus earlier by the General Assembly, the current draft resolution has lost its objectivity and its purpose, namely, to ensure the integrity of non-proliferation and disarmament agreements.

We fully share the view regarding the need to ensure compliance with agreements, especially in areas having to do with weapons of mass destruction and disarmament. That is one of Russia's guiding objectives in the fulfilment of its own obligations and in its efforts to ensure compliance by its partners. However, the draft resolution is replete with provisions that open the way for arbitrary interpretations that may not necessarily be in keeping with the goals of non-proliferation and disarmament.

We believe that claims of non-compliance that are not substantiated by facts are too serious to be formally recorded in a resolution of the General Assembly, for it is difficult to give credence to anonymous accusations. In our view, determinations of non-compliance should first be made in the context of the relevant disarmament and non-proliferation treaties, which is to say, by following the procedures they themselves have established.

We also have doubts about the concept of enforcing compliance, referred to in the seventh preambular paragraph. The substance of the call contained in operative paragraph 4 to hold non-complying States accountable is also unclear. Moreover, the parameters for such actions are not clearly described. In addition, that provision is linked not only to disarmament but to any other agreed obligation.

It should be noted that international practice covers many agreed obligations of varying nature that have different legal, political, military and technical implications. Each agreement has its own specificities, modalities and mechanisms for the determination of circumstances that may be interpreted as non-compliance. In our view, it is counterproductive to attempt to place everything under a single, amorphously defined heading.

As a result, instead of promoting greater discipline on the part of States regarding compliance with their obligations, a draft resolution such as this prefers to question the willingness of States to work towards international agreements in the future. We regret that the sponsors rejected the proposal to restore an operative provision regarding the need to guarantee compliance verification measures for disarmament agreements. We prefer that ideas pertaining to greater efficiency and strengthening of disarmament verification mechanisms not be left undefined.

We will not be able to support this draft resolution, although our position with regard to the strictest compliance by States with their non-proliferation and arms limitations obligations remains unchanged.

The Chairman: As no other speaker wishes to take the floor, the Committee will now proceed to take action on draft resolution A/C.1/60/L.1/Rev.1*. A recorded vote has been requested.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): Draft resolution A/C.1/60/L.1/Rev.1*, entitled "Compliance with non-proliferation, arms limitation and disarmament agreements", was introduced by the representative of the United States of America at the Committee's 13th meeting, on 17 October 2005. The sponsors of the draft resolution are listed in documents A/C.1/60/L.1/Rev.1*, A/C.1/60/INF/2* and INF/2/Add.1. In addition, the following countries have become sponsors: Andorra, Australia, Austria, Belgium, Bolivia, Bulgaria, Canada, Chile, Croatia, Cyprus, the Czech Republic, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, Nicaragua, Norway, Palau, Poland, the Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey and the United Kingdom of Great Britain and Northern Ireland.

The Committee will now vote on draft resolution A/C.1/60/L.1/Rev.1*.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Colombia, Congo, Costa Rica, Côte

d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Barbados, Belarus, Cuba, Egypt, Grenada, Indonesia, Iran (Islamic Republic of), Jamaica, Russian Federation, South Africa, Venezuela (Bolivarian Republic of)

Draft resolution A/C.1/60/L.1/Rev.1 was adopted by 137 votes to none, with 11 abstentions.*

[Subsequently, the delegation of Chile advised the Secretariat that it had intended to vote in favour.]

The Chairman: The floor is now open for delegations wishing to explain their positions after the vote.

Mr. Baeidi-Nejad (Islamic Republic of Iran): I have taken the floor to explain the position of my delegation with respect to draft resolution A/C.1/60/L.1/Rev.1*.

My delegation has supported the consensus resolution on compliance with non-proliferation, arms limitation and disarmament agreements since 1985, when it was introduced to the General Assembly under the title "Compliance with arms limitation and disarmament agreements". Based on its principled position, my delegation is of the strong belief that all States parties must comply on a non-discriminatory basis with all provisions of the relevant treaties. Iran believes that compliance with treaty obligations should be decided in strict observance of the provisions of the relevant treaties and by the competent international organizations. Non-compliance should, accordingly, be assessed and judged objectively in accordance with the principles enshrined in the respective international obligations.

Subjective and unilateral assessments of non-compliance and attempts to use such assessments for political and foreign policy leverage would only undermine the international and multilateral efforts to strengthen an effective global disarmament and non-proliferation regime.

The introduction of the recent resolution by the International Atomic Energy Agency (IAEA) Board of Governors on the Iranian nuclear issue, in which reference is made to the non-compliance of my country with respect to its safeguards obligations, is a clear example in that respect. That reiteration is in clear contradiction of article XII C of the IAEA statute. Article XII C stipulates that "[t]he inspectors shall report any non-compliance to the Director General who shall thereupon transmit the report to the Board of Governors". Interestingly, however, in none of the IAEA Director General's reports on Iran — and I emphasize none, including the latest one, which was allegedly the basis of the resolution submitted to the Board — is reference made to Iran's non-compliance. Unfortunately, that element was introduced into the resolution subjectively and in contradiction to the IAEA statute.

In terms of the merit of the content of the draft resolution before the Committee, we are satisfied to see that, in its revised version, some of the Non-Aligned Movement's amendments were taken on board. In particular, the addition of the phrase "and other agreed obligations" in six relevant instances of the new draft,

which clearly includes the obligations agreed within the disarmament treaty review conferences, such as the Review Conferences of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, underscores that compliance with those obligations is as fundamental and essential as it is with the obligations enshrined in the legal instruments.

The addition to the concept of compliance as contributing to the prevention of the development of weapons of mass destruction is another new positive element of the new draft, which urges those States not currently in compliance with their obligations under article VI of the Treaty to revise their policies.

However, in contrast to the previous texts, which were adopted by the General Assembly by consensus, this year's draft resolution was introduced with drastic changes in the text. The statement made at the introduction of the draft resolution to the Committee strengthened suspicions when the United States delegation made it clear that it has no trust in the competent international organizations, such as the IAEA. The statement said that "there is no such thing as perfect verification" and stressed that international declarations, cooperative measures, on-site inspection regimes and even remote cameras and seals for continuous monitoring cannot satisfy the United States judgement of non-compliance. Overemphasizing the role of national technical means, in our view, is merely an attempt to undermine the multilateral verification system.

Unfortunately, some of the elements included in the text have been drafted ambiguously and lack clarity. For that reason, my delegation has opted to abstain in the voting on the draft resolution.

Mr. Hu Xiaodi (China) (*spoke in Chinese*): China has always believed that full compliance by States parties with arms limitation, disarmament and non-proliferation agreements is conducive to promoting international disarmament and non-proliferation efforts, thus enhancing international peace and security. China therefore agrees with the main thrust of draft resolution A/C.1/60/L.1/Rev.1*, entitled "Compliance with non-proliferation, arms limitation and disarmament agreements".

At the same time, we note that some very important elements and principles that were included in resolution 57/86, entitled "Compliance with arms limitation and disarmament and non-proliferation agreements" and adopted by consensus by the General Assembly in 2002, are not fully reflected in this year's draft resolution. We believe that those elements and principles remain valid and important in the current international situation and should therefore have been reaffirmed and upheld.

In light of those considerations, China did not participate in the voting on draft resolution A/C.1/60/L.1/Rev.1*.

Mr. Rachmianto (Indonesia): My delegation has requested the floor to explain its vote on draft resolution A/C.1/60/L.1/Rev.1*.

We regret that there is a significant difference in the draft resolution as compared to resolution 57/86 in the way it addresses the issue of compliance with arms limitation, disarmament and non-proliferation agreements. While we recognize that some amendments have been accommodated by the sponsors of the draft resolution, my delegation remains unsatisfied, since there is still a lack of clarity in the text, particularly in the seventh preambular paragraph and operative paragraph 4. For example, with regard to the issue of verification, we believe that it is closely related to the treaty regimes in that verification is part of the relevant provisions of those regimes.

Therefore, my delegation abstained in the voting on the draft resolution, in the understanding that compliance with nuclear disarmament and non-proliferation agreements alike should be addressed in a balanced manner and merits equal attention.

Mr. Prasad (India): My delegation has requested the floor to explain its vote on the draft resolution contained in document A/C.1/60/L.1/Rev.1*, entitled "Compliance with non-proliferation, arms limitation and disarmament agreements".

India voted in favour of the draft resolution since it believes in the responsibility of States to fully comply with their obligations, as undertaken in various disarmament, non-proliferation and arms limitation agreements to which they are party. We would, however, like to place on record our understanding that States, in encouraging compliance by other States with the disarmament, non-proliferation and arms limitation agreements to which they are parties, shall act in accordance with the compliance mechanisms provided in the relevant agreements and in a manner consistent with the United Nations Charter and international law.

Similarly, they shall also resolve any issues relating to compliance by a State with its obligations in respect of the disarmament, non-proliferation and arms limitation agreements to which it is a party, in accordance with the compliance mechanisms provided in the relevant agreements and in a manner consistent with the United Nations Charter and international law. Furthermore, it is our understanding that the phrase "other agreed obligations" applies only to those obligations that have been undertaken by States with their sovereign consent.

Ms. Leong (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela is a State that respects laws and complies with the obligations that it assumes under international agreements. We are convinced that the observance of the principles and purposes of the Charter of the United Nations is essential for international stability and security.

However, our delegation abstained in the voting on draft resolution A/C.1/60/L.1/Rev.1*, entitled "Compliance with non-proliferation, arms limitation and disarmament agreements", because we were not satisfied with the manner in which it was written and because we regret that substantial changes were made to the consensus language agreed in resolution 57/86, adopted on 22 November 2002.

In that regard, we believe it relevant to point out that in compliance with agreements, there are times when commitments cannot be honoured as soon as one would like, sometimes because of a lack of financial or human resources or insufficient infrastructure and sometimes because of the priority accorded to other needs. However, such situations do not necessarily involve a risk to international stability and security.

We believe that the most appropriate way to promote the honouring of commitments is through cooperation, not through pressure or sanctions. We also wish to emphasize that selective approaches regarding the need to honour non-proliferation obligations must not be applied by those who themselves neglect to comply with their obligations in the field of nuclear disarmament.

Mr. Hashmi (Pakistan): I have taken the floor to explain my delegation's vote on draft resolution A/C.1/60/L.1/Rev.1*, on compliance with non-proliferation, arms limitation and disarmament agreements.

Pakistan has consistently taken the position that States should adhere to the obligations of the treaties and agreements to which they are party. My delegation appreciates the fact that the United States included some proposals and amendments. Nonetheless, we would have preferred some of the important elements of consensus of resolution 57/86 to have been incorporated, such as support for the resolution of compliance questions within the provisions of relevant agreements and international law, as well as the role of the United Nations in restoring the integrity of and fostering negotiations on certain arms limitation, disarmament and non-proliferation agreements.

My delegation believes that compliance obligations apply only to States that have assumed them. We therefore would have appreciated it if, as in the preambular paragraphs, a more specific reference to States parties had been made in the operative paragraphs.

We are also convinced that, while verification, compliance and enforcement are integrally related, as the draft resolution states, we believe that those concepts are very much relevant and central to treaties and agreements; they do not have an independent existence.

Finally, my delegation feels that this draft resolution has distanced itself from the cooperative spirit that was a characteristic of its predecessor resolution. The new draft contains some elements that are, in our view, at variance with the spirit of the United Nations Charter.

For the reasons that I have outlined, my delegation abstained in the voting.

Mr. Rahman (Bangladesh): Bangladesh voted in favour of the draft resolution "Compliance with non-proliferation, arms limitation and disarmament agreements", contained in document A/C.1/60/L.1/Rev.1*, because we support the spirit as well as the content of the draft resolution, as amended.

My delegation wishes, however, to place on record that in our pecking order, nuclear disarmament has priority over nuclear non-proliferation, although we believe that the two fit together and are complementary. We also continue to believe that the best guarantee against nuclear non-proliferation lies in the total elimination of nuclear weapons.

Mr. Shamaa (Egypt): I should like to speak in explanation of vote on draft resolution A/C.1/60/L.1/Rev.1*, concerning compliance with non-proliferation, arms limitation and disarmament agreements.

While Egypt attaches the utmost importance to the issue of compliance with non-discriminatory, multilaterally negotiated disarmament and non-proliferation agreements, I would like to point out shortcomings in the draft resolution.

First, it lacks one basic principle, namely, the indivisibility of compliance. By dropping that basic principle — which was previously agreed to and stated in operative paragraph 1 of resolution 57/86, urging all States parties to implement and comply with the entirety of all provisions of agreements to which they are party — this year's draft resolution allows for a very disturbing misinterpretation of the Law of Treaties: that it might be admissible for certain parties to forgo compliance with some of their treaty obligations, thus opening the way to selective application of compliance with a treaty.

Secondly, the draft resolution presupposes the non-compliance of what is described as "those States", urging them to make the strategic decision to come back into compliance with their obligations, while simple logic and the principles of law — whether national or international — require a legal sequencing of events. Thus, a call to return from a state of non-compliance must be preceded by a statement of non-compliance in accordance with the respective provisions of each treaty.

Thirdly, operative paragraph 4 of the draft resolution raises a very serious concern by calling for Member States to take concerted action to encourage compliance by all States with their respective agreements and to hold accountable those not in compliance. That stipulation represents not only a major departure from the previously agreed text of resolution 57/86, but also, and more importantly, a departure from principles of international law. It calls on States not party to a treaty to take action towards compliance by States parties. In other words, it is calling on States non-parties to go even further than reviewing and assessing implementation by States parties of their respective treaty obligations. Here, let me recall that that notion gave rise to several objections when it was included in the context of another draft resolution submitted this year to the First Committee and that it was subsequently removed from the text because of its obvious contradiction with the principles of treaty law.

Finally, I would like to recall here what was stated by the representative of the United States when introducing draft resolution A/C.1/60/L.1/Rev.1*. That representative rightly pointed out that States entrust their national security to regimes established by disarmament, arms control and non-proliferation treaties to which they become party, hence the imperative of verifying the compliance of other States parties with their treaty obligations.

Indeed, ensuring compliance with treaties is of paramount importance to States parties. However, achieving the universality of those treaties is even more important, since the gravest threat to the international disarmament and non-proliferation regime — and thus to the national security of States parties that have entrusted their security to those treaties — remains the non-adherence of States to the treaties establishing that regime, in particular what is described as its cornerstone: the Treaty on the Non-Proliferation of Nuclear Weapons.

Thus, the lack of a clear call for those in a state of non-adherence to the disarmament and non-proliferation regime to take the strategic decision to adhere to those treaties with the aim of achieving its universality, and subsequently its goals, is a major weakness in the text of the draft resolution. Therefore, and while we attach the greatest importance to the issue of compliance, we abstained in the voting on the draft resolution in view of the points I have just mentioned.

Mr. Gala López (Cuba) (*spoke in Spanish*): My delegation wishes to explain its vote on draft resolution A/C.1/60/L.1/Rev.1*.

As members will recall, in October 2002, several delegations raised concerns in this Committee about some of the changes made in draft resolution A/C.1/57/L.54, which was subsequently adopted as resolution 57/86. Indeed, my delegation made the point at that time that the draft resolution represented a step backwards with respect to resolution 52/30.

Today, my delegation wishes to place on record its dissatisfaction with the contents of draft resolution L.1/Rev.1*. Not only have a number of positive

elements of resolution 57/86 been eliminated, but controversial language has been included, further departing from the letter and spirit of resolution 52/30.

We have heard no convincing explanation of the drastic and regrettable changes in language in this year's draft resolution. The latest version of the draft continues to suffer from obvious inadequacies, amongst which I would single out the following.

First, by and large a selective, unbalanced and politicized approach has been adopted. Secondly, in the title and certain paragraphs, the order in which arms limitation, disarmament and non-proliferation are referred to has been changed, with the signal intention of highlighting the last element referred to. Thirdly, the phrase "States parties" appears less often. Fourthly, reference has been omitted to the concept of resolving compliance concerns by means consistent with agreements and international law. Fifthly, in addressing the issue of verification, the role played by the machinery and procedure laid out in those international agreements is sidestepped. Sixthly, the operative section in general contains controversial and ambiguous language that could give rise to arbitrary manipulation.

Cuba has always upheld the need to preserve and strengthen multilateralism and to guarantee strict observance of all arms limitation, disarmament and non-proliferation agreements. At the same time, we are convinced of the need for States parties to such agreements to meet, without resort to double standards, all their obligations under each and every article of the arms limitation, disarmament and non-proliferation agreements to which they are party.

It should be recalled that the chief author of draft resolution L.1/Rev.1* still possesses vast nuclear arsenals, although it has clear obligations with respect to nuclear disarmament and non-proliferation, including in the vertical dimension, as set forth in the Treaty on the Non-Proliferation of Nuclear Weapons. In turn, we stress the importance of ensuring that international agreements be endowed with relevant verification machinery designed to promote cooperation among their parties to resolve disputes, facilitate compliance with their obligations, and provide disincentives for recourse to unilateral measures that contravene the principles of international law and the United Nations Charter.

In that respect, we reaffirm the role to be played by the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, and reiterate that the most effective and sustainable way to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction is through multilateral negotiations on a legally binding, international instrument that includes international verification measures, the opposition to which by the principal author of draft resolution A/C.1/60/L.1/Rev.1* is well known.

The Chairman: The Committee will proceed to cluster 7, "Disarmament machinery", which contains one draft resolution, contained in document A/C.1/60/L.21.

Mr. Rowe (Sierra Leone): I have the honour to introduce draft resolution A/C.1/60/L.59/Rev.1, entitled "Report of the Disarmament Commission".

It contains a new operative paragraph 5, which replaces the previous paragraphs 5 and 5 (bis) and all the square brackets in the original draft. The new operative paragraph 5 reads as follows:

> "Welcomes the efforts the Commission had made during its organizational meeting in July 2005 towards achieving its objectives, and recommends that the Commission intensify consultations on those efforts with a view to reaching definitive agreements before the start of its substantive session in 2006;".

In my statement during the interactive debate on disarmament machinery, I recalled an observation I made last July to the effect that the Disarmament Commission, having agreed on the texts of two agenda items and an issue for consideration next year, was reluctant to endorse those agreements. Regrettably, that reluctance manifested itself in the process of drafting a draft resolution on the report of the Commission for adoption by the First Committee.

As we are all aware, I have conducted intensive consultations over the past four weeks at the level of the bureau of the Commission with the representatives of the various regional groups and, individually, with a number of interested delegations that were kind enough to lend their support to my efforts. I also held two open-ended consultations. I must say, it was a tedious exercise.

Numerous delegations have expressed disappointment that the outcome document of the 2005 summit failed to address the important issue of disarmament and non-proliferation. However, we recall that that document, its omissions and weaknesses notwithstanding, was adopted without a vote. In our statements in the General Assembly and the First Committee, a large number of delegations moaned about the pitiful performance of the Conference on Disarmament in Geneva. Yet last week, in this very room, we adopted without a vote a draft resolution on the report of the Conference. That draft resolution — A/C.1/60/L.20 — inter alia, took note, in the sixth preambular paragraph, of what it described as "significant contributions made during the 2005 session to promote substantive discussions on issues on the agenda" of the Conference.

Draft resolution L.20 also took note of active discussions held on the programme of work during the 2005 session of the Conference, as duly reflected in the report and records of the plenary meetings. It also stressed the urgent need for the Conference to commence its substantive work at the beginning of its 2006 session, and went on to call upon the Conference to intensify consultations and explore possibilities with a view to reaching an agreement on a programme of work. It also welcomed — I emphasize "welcomed" — the decision of the Conference to request its current President and the incoming President to conduct consultations during the intersessional period. Those were some of the provisions of draft resolution L.20, which we adopted last week without a vote.

It is relevant to ask whether the performance of the Conference on Disarmament was better than that of the Disarmament Commission in 2005. One wonders why it was so difficult for us to come up with a similar draft resolution at least three weeks ago — one containing the facts, as duly reflected in the report and records of the Commission's July 2005 organizational meeting.

Draft resolution A/C.1/60/L.59/Rev.1, unfortunately, represents the least that the First Committee can recommend to the General Assembly. It should be read in conjunction with the report of the Commission. At the same time, I would like to suggest that, when we take action on it, we focus attention not so much on the letter, or words, of the draft as on the spirit, or content. All that the new operative paragraph 5 of draft resolution L.59/Rev.1 is saying is this: some groundwork was laid in the Commission's meeting in July 2005, so let us build on it, let us work harder during the next few months so that next year we will be in a better position to come up with specific, concrete and meaningful recommendations on problems of disarmament and non-proliferation. That is all — nothing more, nothing less.

Since draft resolution L.59/Rev.1 is a call not to legislate or to enforce, but to intensify deliberations, to talk and then make recommendations, and since its objective is also to reaffirm the mandate of the Disarmament Commission and underscore its viability and efficacy, I have no doubt whatsoever that the draft resolution will be adopted without a vote.

Ms. Sanders (United States of America): I would like to state for the record that the United States will not participate in the vote on a draft resolution A/C.1/60/L.21.

The Chairman: The Committee will proceed to take action on draft resolution A/C.1/60/L.21.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the First Committee): Draft resolution A/C.1/60/L.21 is entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean". The draft resolution was introduced by the representative of Argentina on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States at the Committee's 14th meeting, on 18 October 2005. The sponsors of the draft resolution are listed in document A/C.1/60/L.21.

There is a oral statement to the draft resolution, which, with your permission, Mr. Chairman, I will now read out.

In connection with draft resolution A/C.1/60/L.21, entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean", I wish to put on record the following statement of financial implications on behalf of the Secretary-General.

Under the terms of operative paragraph 9, of the draft resolution, the General Assembly would request the Secretary-General to provide the Regional Centre with all necessary support, within existing resources,

so that it may carry out its programme of activities in accordance with its mandate.

The implementation of that request would be carried out within resources provided for under section 4, "Disarmament", of the proposed programme budget for the biennium 2006-2007. The provision contained therein covers one P-5 post of Director of the Regional Centre at Lima. The programme of activities of the Regional Centre would continue to be financed from extrabudgetary resources.

The attention of the Committee is drawn to the provisions of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with the responsibility for administrative and budgetary matters, and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions.

Accordingly, should the General Assembly adopt draft resolution A/C.1/60/L.21, no additional requirements would arise under the proposed programme budget for the biennium 2006-2007.

The Chairman: The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote. In the absence of objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/60/L.21 was adopted.

The Chairman: If no representative wishes to speak in explanation of position on the resolution just adopted, the Committee will turn to cluster I, "Nuclear weapons", which contains one draft resolution — A/C.1/60/L.38/Rev.2.

Mr. Freeman (United Kingdom): If it is the intention to move to put the draft resolution, as revised, to the vote, I do not require more time.

The Chairman: The Committee will now take action on the draft resolution, as orally revised. The floor is open to those representatives who wish to speak in explanation of position before action is taken.

Ms. Mtshali (South Africa): I am taking the floor to explain our position on draft resolution A/C.1/60/L.38/Rev.2.

South Africa recognizes the right of any State Member of the United Nations to submit draft resolutions for consideration in the General Assembly. In this context, South Africa considers its support for draft resolutions on the basis of the merits and content of each draft resolution and its consistency with South Africa's national policy on issues addressed therein. The origin of draft resolutions, therefore, does not determine whether we support them.

At the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), we lost the opportunity to make realistic progress on the most pertinent challenges facing the Treaty. We therefore need to continue to build upon previous undertakings and commitments, which placed us on an irreversible path towards the achievements of the purposes and objectives of the Treaty.

Nuclear weapons represent a continued risk to humanity. The longer nuclear weapons exist, the longer the world will have to wait to be free from the use or threat of use of such weapons. The case for non-proliferation rests on the primary objective of the NPT, which is to eliminate all nuclear weapons — hence the central importance of article VI of the Treaty. Nuclear non-proliferation and nuclear disarmament are therefore mutually reinforcing processes that will require continuous and irreversible progress on both fronts.

South Africa considered draft resolution A/C.1/60/L.38/Rev.2 in the context of the failed outcome of the 2005 NPT Review Conference and our principled position on nuclear disarmament. As the draft resolution is not only in accordance with South Africa's national policy on nuclear disarmament but is also consistent with the position of the Non-Aligned Movement, South Africa will vote in favour of it.

Mr. Shamaa (Egypt) (*spoke in Arabic*): The delegation of Egypt has decided to support draft resolution A/C.1/60/L.38/Rev.2 on the basis of objective considerations, without taking into account other considerations. Egypt would have liked for the draft to include a reference within its operative paragraphs, to the need to achieve the universality of both the Treaty on the Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency safeguards. Nevertheless, my delegation will join the consensus on the draft.

Mr. Rivasseau (France) (*spoke in French*): My country will align itself with the position of the European Union with regard to draft resolution A/C.1/60/L.38/Rev.2. We believe that apart from the text's intrinsic value, we should also consider the context in which it has been introduced. We shall therefore vote against the draft resolution.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/60/L.38/Rev.2, as orally revised by the representative of Iran.

A recorded vote has been requested, as well as a separate vote on the sixth preambular paragraph as orally amended.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): Draft resolution A/C.1/60/L.38/Rev.2, entitled "Follow-up to nuclear disarmament obligations agreed in the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", was introduced by the representative of the Islamic Republic of Iran at the Committee's 9th meeting, held on 11 October. The sponsors of the draft resolution are listed in documents A/C.1/60/L.38/Rev.2 and A/C.1/60/INF/2*. In addition, Zimbabwe has withdrawn from co-sponsoring the draft resolution.

The Committee will now proceed to take a separate vote on the sixth preambular paragraph as orally revised by the representative of the Islamic Republic of Iran.

The Chairman: I call on the representative of the United Kingdom on a point of order.

Mr. Freeman (United Kingdom): Our understanding had been that we would vote on the draft resolution as a whole. If in fact we are not voting on the draft resolution as amended as a whole, I would require a suspension of the meeting.

The Chairman: Is there any reaction from the floor? That not being the case, allow me to clarify the situation.

The representative of the United Kingdom originally requested action on this draft resolution provided action was on the draft resolution as a whole. Then there was a request for a separate vote on the sixth preambular paragraph as orally amended. The representative of the United Kingdom now has a problem with a separate vote. We therefore have a new situation.

I call on the representative of Iran.

Mr. Baeidi-Nejad (Islamic Republic of Iran): I indicated earlier that we certainly respected the position of delegations as regards requests for time to consider draft resolutions. However, in order to be consistent, as before when there was a request to suspend the voting process after the voting had begun in order to allow more time to consider drafts — if I recall correctly, that was two days ago — we suggest, as a sponsor of the draft resolution and with all due respect, that, given that the voting has already begun, we continue to vote, as required by the rules of procedure.

The Chairman: I call on the representative of the United Kingdom.

Mr. Freeman (United Kingdom): I am not trying to be difficult about this, but I do want to be clear about it. I had said earlier that I was considering the possibility of asking for a delay, as the Chairman has correctly recalled. Notwithstanding what the Chairman has just said, with all due respect, I did not make any indication on behalf of the United Kingdom as regards voting on the draft resolution as whole or not. I did not actually comment on that.

What I had established via the Secretariat — and I am afraid that I specifically asked about this — was that, if the draft resolution was being considered as whole, then I would have no wish for a delay. If it was not, and there was to be a separate vote on an element therein, I would. I made that very clear to the Secretariat before. With all due respect, the fact that the Secretariat proceeded down this road in that knowledge is either to ignore what I said or, candidly, to be incompetent. But it is one or the other.

The Chairman: Is there any reaction from the floor? I call on the representative of Sierra Leone.

Mr. Rowe (Sierra Leone): I heard the representative of the Secretariat say that we were going to vote separately on this draft resolution. I think we need some clarification here, whether the representative of the United Kingdom is opposed to the proposal to have a separate vote on the sixth preambular paragraph. If that representative is opposed to a split vote, then we must refer to the rules of procedure, to rule 129. I think. We need some

clarification on that. I do not know whether the representative of the United Kingdom is formally opposing the request for a separate vote. I think we should address that before we move on.

The Chairman: I call on the representative of the United Kingdom.

Mr. Freeman (United Kingdom): I do not wish to drag this on. We are of course not opposing a separate vote. If that is what colleagues call for, in this instance at least, we are not opposing that. My only point earlier was that, as this is all something new, it would have been helpful to have had a break to consider it. If it is in fact the view of the Chairman and others in this room that they do not wish to do that, I am not going to try to block us from moving ahead.

My point is therefore not some inward legal point relating to rule 120 or something; it was merely a matter of an opportunity to orderly arrange our business by being able to have a word among some of us as a result of a new development. But if others are not prepared to agree with that, I am not going to insist on the point. Of course, to answer Ambassador Rowe, the United Kingdom is certainly not objecting to anything that is being said. It was merely asking, as a matter of courtesy, whether one could have had a little more time. But if it is the view of others that we should proceed, the United Kingdom is not going to object any longer.

The Chairman: I call on the representative of Austria.

Mr. Charwath (Austria): Having just heard what was said by the representative of the United Kingdom, we will of course not stand in the way of proceeding. I just want to express our understanding that the only thing the representative of the United Kingdom said was that proceeding to take the vote was contingent upon the fact that we would vote on the draft resolution as a whole. The request for a little more time therefore seems to be very valid, and we would certainly support that. As the representative of the United Kingdom stated, those were two different issues, and we would not have proceeded to the vote. The United Kingdom would have asked for more time if we had known that we would take separate votes. I do not think this should be too difficult for delegations to agree, in the spirit of good cooperation we have enjoyed throughout the entire meeting.

The Chairman: I call on the representative of Sierra Leone.

Mr. Rowe (Sierra Leone): I am sorry to take the floor again. To get us out of this dilemma, may I suggest that the Chairman may want to consider requesting the representative of the United Kingdom to propose that we postpone the vote.

The Chairman: I call on the representative of Japan.

Mr. Mine (Japan): I heard two proposals: one for a suspension and one for a postponement. If we are going to suspend for an hour or so, I must say that our position would remain unchanged with regard to the change to the text read out by the representative of Iran. We would not have any time to consult our capital; Tokyo is now asleep. An hour's break would not help us.

The Chairman: Let us take stock of where we now stand.

Up until now, the Committee has accepted oral revisions made on the day that action was taken on draft resolutions, provided there were no requests to delay consideration. Today, for the first time during this session of the First Committee, we have a request to delay action on a draft resolution because a revision was made on the same day that action was to be taken.

Based on rule 120 of the provisional rules of procedure, and after reflection regarding cluster 1 and draft resolution A/C.1/60/L.38/Rev.2, I was about to propose that we delay action until tomorrow. The representative of the United Kingdom then raised the original problem, namely, that we vote on the draft resolution as a whole. A separate vote was subsequently requested, complicating the situation.

If there is no strong objection, my overall proposal is that we delay action until tomorrow, based on rule of procedure 120. I know that some delegations will try to resort to rules 120 and 129 of the rules of procedure. Prior to that consideration, we were in a situation covered by rule 120. I therefore propose that we delay action on the draft resolution until tomorrow.

I call on the representative of Iran.

Mr. Bacidi-Nejad (Islamic Republic of Iran): As the representative of the United Kingdom has reiterated, I do not want to enter into interpretation of the rules of procedure. As we began our discussion, the

first priority was to give delegations more time to consider the revision orally presented. As was mentioned, it is a very straightforward revision. I think delegations can be very clear about their positions, because we have had this type of revision made to other draft resolutions submitted to the First Committee.

My delegation believes that draft resolution L.38/Rev.2 should be acted on today. As discussed, and as the Chairman decided, we have decided that action on the draft resolution can be delayed until the last part of our work today. What the representative of the United Kingdom has requested, namely, to suspend for half an hour to 45 minutes, is completely acceptable to us. But we believe that we should be ready after that to take a decision on the draft resolution today.

The Chairman: Does everyone agree that should suspend the meeting for about an hour?

I call on the representative of Mexico.

Mr. De Alba (Mexico) (*spoke in Spanish*): My delegation is very concerned that the rules of procedure are not being followed. We have heard appeals to behave more humanely and in a more friendly and conciliatory manner. The delegation of Mexico has of course been very receptive to those appeals, but not to the point of changing the rules of procedure, which would have consequences for future decisions. It seems to us a very serious thing to so easily deviate from the rules.

I should simply like to recall that we are already halfway through the voting process. The rules could not be clearer: only points of order on the voting itself may interrupt the voting. There are no provisions for suspensions or requests for postponement of the vote. There are no grounds for any motion other than ones pertaining to the mechanics of the voting itself.

I am not going to propose any other delay to the Chairman. But I would ask that any suspension not be for more than 15 minutes and that no further exceptions be made to the rules of procedure. I believe it is important for the proper functioning of the Committee to observe the rules. I think a 15-minute suspension would be more than adequate. I have heard no objection to voting today from the representative of the United Kingdom. I have heard objections from a sponsor. I think the situation could not be clearer. In fact, we had a similar situation last year. At that time, it was very clearly established that a postponement of the vote on the day of the voting could be requested only by sponsors, otherwise revisions would be made on the day of voting. That would indefinitely result in delaying our decisions. I think that was very clear indeed during last years' consideration of The Hague Code of Conduct, and we could use that as a reference for us today.

My proposal therefore is that, if clarifications are needed, we suspend the meeting for no more than 15 minutes, and then immediately proceed to vote.

The Chairman: I call on the representative of Cuba.

Mr. Gala López (Cuba) (*spoke in Spanish*): I shall be very brief. My delegation would also like to place on the record its own concerns with regard to how the voting process is currently being carried out. It seems to us that the rules of procedure are very clear as to the voting process. I simply wanted to place that on the record.

The Chairman: As there are no other requests for the floor, I therefore intend to suspend the meeting for 20 minutes.

The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.

The Chairman: Let us resume action on draft resolution A/C.1/60/L.38/Rev.2.

Mr. Freeman (United Kingdom): I thank you, Sir, and other colleagues for agreeing to the break, which we appreciated. I want to take this opportunity to say that the States members of the European Union will vote against the proposed amendment of the sixth preambular paragraph, as we will to the draft resolution as a whole.

The Chairman: I call on the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to a separate vote on the sixth preambular paragraph of draft resolution A/C.1/60/L.38/Rev.2, as orally revised by the representative of the Islamic Republic of Iran.

A recorded vote was taken.

In favour:

Algeria, Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Belize, Brazil, Brunei

Darussalam, Burkina Faso, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, Grenada, Guinea, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Myanmar, Nigeria, Oman, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Bhutan, Bolivia, Chile, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Kenya, Malawi, Mauritius, Nicaragua, Niger, Pakistan, Panama, Peru, Russian Federation, Uruguay

The sixth preambular paragraph, as orally revised, was retained by 58 votes to 54, with 23 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/60/L.38/Rev.2 as a whole.

I call on the Secretary of the Committee to conduct the voting.

Ms. Stoute (Secretary of the Committee): The Committee will now proceed to the vote on draft resolution A/C.1/60/L.38/Rev.2 as a whole.

A recorded vote was taken.

In favour:

Algeria, Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ghana, Grenada, Guinea, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nigeria, Oman, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Bolivia, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, India, Liberia, Nicaragua, Niger, Pakistan, Panama, Peru, Tuvalu, Uruguay

Draft resolution A/C.1/60/L.38/Rev.2 as a whole was adopted by 70 votes to 52, with 22 abstentions.

The Chairman: I shall now call on those representatives who wish to explain their votes on the draft resolution just adopted.

Ms. Sanders (United States of America): I have asked for the floor to explain the United States vote on draft resolution A/C.1/60/L.38/Rev.2, entitled "Follow-up to nuclear disarmament obligations agreed in the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons".

Our delegation could not agree more that there is a need for full compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and, indeed, with all non-proliferation, arms control and disarmament obligations undertaken by States. That, after all, is why we have sponsored draft resolution A/C.1/60/L.1/Rev.1*.

Draft resolution L.38/Rev.2 completely misses the mark. It shrouds proliferation and non-compliance under the false mantle of the pace of disarmament of the nuclear-weapon States. That comes at the price of our common security. One only needs to identify the sponsor of the draft resolution to grasp its disingenuous nature. The sponsor of the draft resolution, after all, is none other than the State that the International Atomic Energy Agency Board of Governors, just over a month ago, found to be in non-compliance with its nuclear non-proliferation obligations.

As for the text of the draft resolution itself, we note that the versions before us today no longer sought to establish an ad hoc committee under the General Assembly. Those who strongly support the NPT wisely rejected such a misguided proposal, for a formal review of the NPT is the rightful preserve of States parties to the Treaty.

The last thing that this Committee needs is yet another resolution dealing with nuclear disarmament. That shared objective is being pursued in good faith and in a transparent manner, and steady, measurable progress is a matter of public record. What the world does need is sincere, rigorous compliance on the part of all nations with their international obligations, including their non-proliferation obligations. The time for paying lip service to treaty compliance has long passed. The time is at hand to address the real threats to our common security and for the international community to call upon all States to comply with their international non-proliferation obligations. As we noted earlier, widespread international support for the IAEA Board of Governors' recent finding of non-compliance is a step in the right direction.

The United States voted against draft resolution L.38/Rev.2 for all of those reasons. Having done so, we are pleased to find ourselves in very good company indeed.

Mr. De Alba (Mexico) (*spoke in Spanish*): Mexico's vote was consistent with the historical stance of its Government in favour of nuclear disarmament and the non-proliferation of weapons of mass destruction through observance of and full compliance with the relevant provisions of international law. Mexico stresses that nuclear disarmament is not an option, but a legal obligation for all countries.

In voting in favour of the draft resolution, Mexico stresses the urgent need for substantive progress in the application of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in particular with regard to the measures adopted at the 1995 and 2000 Review Conferences.

Mexico appeals once again to the States of the community of nations, in particular the State that presented the draft resolution, to act in accordance with the commitments entered into in the context of international disarmament instruments, organizations and bodies, and to comply with the verification mechanisms in the area of nuclear disarmament that would make possible the achievement of such an objective.

We stress once again the urgent need to destroy all nuclear stockpiles and to apply measures to prevent any further proliferation of weapons of mass destruction or their use by any country, given that all such weapons are fundamentally inhumane.

Mr. Prasad (India): India abstained on draft resolution A/C.1/60/L.38/Rev.2. Our delegation voted against the sixth preambular paragraph, as orally revised, because we cannot accept the call for universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the placement of facilities under full-scope International Atomic Energy Agency safeguards.

India supports the stated goal of the draft resolution, namely, to provide impetus to efforts to achieve the goal of the total elimination of nuclear weapons, and is committed to global non-discriminatory nuclear disarmament. However, the draft resolution is embedded in the NPT framework and pertains to States parties to the NPT, to which we are not a party.

Mrs. Fernando (Sri Lanka): Sri Lanka voted in flavour of draft resolution A/C.1/60/L.38/Rev.2, given our unwavering support for the regime of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and all its objectives. In our view, the NPT represents a careful balance of obligations of States parties aimed at preventing both vertical and horizontal proliferation.

We remain fully committed to both of those objectives on equal terms. However, the text of draft resolution L.38/Rev.2 seems to focus on only one aspect of the NPT, that is, the vertical proliferation of nuclear weapons connected with article VI. While we support the draft resolution, we regret that lack of balance; it will not assist in strengthening the NPT regime.

Mr. Shamaa (Egypt): I am not speaking in explanation of vote, but making a statement following the vote on the draft resolution A/C.1/60/L.38/Rev.2.

The vote on the sixth preambular paragraph came as a shocking surprise to us. As we said when speaking in explanation of vote, the sixth preambular paragraph did not contain the perfect language that we would have liked to see, but it recalled one of the main pillars relating to the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We are extremely disappointed, and I am sure that my feelings reflect those of all the Arab States in this room with regard to the 54 countries that voted against one essential pillar of the NPT regarding that Treaty's indefinite extension.

That only confirms that the lack of consensus on the outcome of the 2005 Review Conference and the lack of any outcome in the summit document are merely the result of the politicization of the disarmament and NPT commitments on the part of those States parties to the NPT who voted against the sixth preambular paragraph, contrary to their commitments in the context of the NPT and the International Atomic Energy Agency.

The Chairman: The Committee will move on to cluster 4, "Conventional weapons", which contains one draft resolution: A/C.1/60/L.40/Rev.1. The floor is open for general statements or the introduction of draft resolutions.

Mr. Rivasseau (France) (*spoke in French*): I would like briefly to raise two small points relating to draft resolution A/C.1/60/L.40/Rev.1.

First, I draw the attention of the Committee to the fact that the delegations of France and Germany failed to mention one linguistic revision to the text. Operative paragraph 6 should read

(*spoke in English*)

> "Decides to include this issue in the provisional agenda of its sixty-first session".

(*spoke in French*)

Secondly, I understand that, as a result of the suspension of the meeting on this issue, the delegation that had requested the postponement of a decision is now in a position to proceed. France is still working on the assumption that we will be able to proceed on the basis of consensus.

The Chairman: The Committee will proceed to take action on draft resolution A/C.1/60/L.40/Rev.1, as orally revised by the representative of France.

I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the First Committee): Draft resolution A/C.1/60/L.40/Rev.1 is entitled "Problems arising from the accumulation of conventional ammunition stockpiles in surplus". The draft resolution was introduced by the representative of France at the Committee's 12th meeting, on 14 October, and has been orally revised by the representative of France. The sponsors are listed in documents A/C.1/60/L.40/Rev.1, A/C.1/60/INF/2* and INF/2/Add.1. In addition, Guinea, Ireland and Malta have become sponsors.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

> *Draft resolution A/C.1/60/L.40/Rev.1, as orally revised, was adopted.*

The Chairman: I shall now call on those representatives who wish to speak in explanation of position on the draft resolution just adopted.

Mr. Prasad (India): India joined the consensus on draft resolution A/C.1/60/L.40/Rev.1. We would like to place on record our understanding that the draft resolution appeals only to interested States to assess their stockpiles of ammunition on a voluntary basis. Thus, while States wishing to do so on a voluntary basis may share with others information on the outcome of such an assessment, the draft resolution does not create any obligation for States to make available to other States any information on the outcome of their assessment of ammunition stockpiles, including information on the security, management and destruction of such stockpiles.

Ms. Leong (Bolivarian Republic of Venezuela) (*spoke in Spanish*): With respect to draft resolution A/C.1/60/L.40/Rev.1, the Bolivarian Republic of Venezuela wishes to reaffirm the legitimate sovereign right of all States to obtain, produce and retain the quantity of conventional arms and ammunition they deem appropriate to meet their legitimate self-defence and security needs.

Our country supports efforts to combat and prevent the illicit trade in ammunition. However, we believe that it is up to each country to determine — in a sovereign and voluntary manner in keeping with its own legitimate defence and security needs — whether or not a portion of its existing conventional ammunition can be considered surplus. It is also up to each State to determine whether the amount and the nature of its ammunition might represent a risk to its own security and whether measures must be taken to improve the management and stockpiling of its existing conventional ammunition.

The Chairman: We have heard the last speaker in explanation of position.

I should like to inform members that at its final meeting tomorrow, the Committee will first take action on the two remaining draft resolutions: A/C.1/60/L.50/Rev.1 and L.59/Rev.1. Immediately thereafter, we will proceed to consider and take action on draft resolution A/C.1/60/L.60, under agenda item 88, entitled "Question on Antarctica". The Committee also needs to take action on item 116, on the revitalization of the work of the General Assembly, particularly with regard to our tentative programme of work for the next session.

The representative of France has requested the floor.

Mr. Rivasseau (France) (*spoke in French*): My delegation would like to go back to the conditions under which draft resolution A/C.1/60/L.39, "Preventing the risk of radiological terrorism", was adopted at the 21st meeting, at the end of last week. Members will recall that a vote had been requested, but all delegations voted in favour. It seems that the delegations present in the room did not request the vote. I wonder whether there was not a misunderstanding about that situation. Some contacts with the Secretariat incline me to urge you, Mr. Chairman, to ascertain whether the fact that the draft resolution was put to the vote reflected a misunderstanding. If that is the case, I ask that you point it out in the General Assembly so that the Assembly is aware that the draft was indeed put to the vote in error.

The Chairman: I give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): Just to answer the representative of France precisely: yes, there was a misunderstanding.

The Chairman: Therefore, unless I hear an objection from the floor, we will consider draft resolution A/C.1/60/L.39 to have been adopted by consensus.

Mr. De Alba (Mexico) (*spoke in Spanish*): It is my understanding that the delegation of France indicated that it is appropriate to report the error to the plenary of the General Assembly when the Committee's report is considered. I would be most willing to support that request, especially because I am familiar with the error that was made. But I do not believe it is appropriate to revise a decision already taken by the Committee.

Mr. Rivasseau (France) (*spoke in French*): I agree with the representative of Mexico; sometimes I am pleased to agree with him.

The Chairman: So we finally have agreement on this issue.

I now give the floor to the Secretary of the Committee.

Ms. Stoute (Secretary of the Committee): I almost hesitate to make the following request: members, please fill out your surveys. Thank you.

The Chairman: I invite the Under-Secretary-General to take the floor.

Mr. Abe (Under-Secretary-General for Disarmament Affairs): I wish to remind Committee members that they still have the task of nominating the Chairman of the Preparatory Committee and the President of the Review Conference for the Programme of Action on Small Arms and Light Weapons. The Committee will recall that I conducted the informal session, during which I told members that I would reconvene the session when they were ready to confirm the nomination of the Chairman and the President. So far, as I understand, the process has not been finalized. I therefore strongly encourage members to finalize the process so that we can nominate the Chairman of the Preparatory Committee and the President of the Review Conference next year before we finish the work of the First Committee and disperse.

The meeting rose at 12.10 p.m.